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 10960 U.S. Pat.

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PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. **BER-3.5.009/3714**
 First Inventor **Ronald Alan COFFEE**
 Title
 Express Mail Label No. **EL694443307US**

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17) (Duplicate)
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages **42**]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets **7**]
5. Oath or Declaration [Total Pages **1**]
 - a. ☐ Newly executed (original or copy)
 - b. ☒ Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO:

Assistant Commissioner for Patents
 Box Patent Application
 Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☒ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)
of prior application No.: **09 / 230,171**

Prior application information:

Examiner **Kim M. LEWIS**Group Art Unit: **3761**

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the continuing, divisional or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion of the disclosure is omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

26784
 (Insert Customer Number or Bar Code Label here)

or ☒ Correspondence address below

Name **COBRIN & GITTES**
 Address **750 Lexington Avenue - 21st Floor**
 City **New York** State **NY** Zip Code **10022**
 Country **USA** Telephone **212-4864000** Fax **212-4864007**

Name (Print/Type)

Robert J. HESS

Registration No. (Attorney/Agent)

32,139

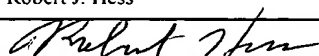
Signature

Robert J. Hess

Date

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Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

FEE TRANSMITTAL for FY 2001 <i>Patent fees are subject to annual revision. Small Entity payments must be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12.</i>						Complete if Known					
						Application Number		To be assigned			
						Filing Date		Concurrently herewith			
						First Named Inventor		Ronald Alan COFFEE			
						Group Art Unit		To be assigned			
						Examiner		To be assigned			
TOTAL AMOUNT OF PAYMENT				(\$) 2,338.00		Attorney Docket Number		BER-3.5.009/3714			
METHOD OF PAYMENT (check one)						FEE CALCULATION (continued)					
1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to: Deposit Account Number: 03-2317 Deposit Account Name: COBRIN & GITTES <input type="checkbox"/> Charge any additional fee required under 37 CFR 1.16 and 1.17						3. ADDITIONAL FEES					
						Large Entity		Small Entity			
Code		(\$)		Fee Description		Code		(\$)		Fee Paid	
105		130		205		65		Surcharge - Late filing fee or oath			
127		50		227		25		Surcharge - late provisional filing fee or cover sheet			
139		130		139		130		Non-English specification			
147		2,520		147		2,520		Request for Reexamination			
112		920*		112		920*		Req. publication of SIR prior to Examiner action			
113		1,840		113		1,840		Requesting publication of SIR after Examiner action			
115		110		215		55		Extension within first month			
116		390		216		195		Extension within second month			
117		890		217		445		Extension within third month			
118		1,390		218		695		Extension within fourth month			
128		1,890		228		945		Extension within fifth month			
119		310		219		155		Notice of Appeal			
120		310		220		155		Brief in support of an appeal			
121		270		221		135		Request for oral hearing			
138		1,510		138		1,510		Petition to institute a public use proceeding			
140		110		240		55		Petition to revive - unavoidable			
141		1,210		241		605		Petition to revive - unintentional			
142		1,240		241		620		Utility issue fee (or reissue)			
143		440		243		220		Design issue fee			
144		600		244		300		Plant issue fee			
122		130		122		130		Petitions to the Commissioner			
123		50		123		50		Petitions related to provisional applications			
126		240		126		240		Submit Info. Disclosure Stmt			
581		40		581		40		Patent Assignment per property			
146		710		246		355		Filing a submission after final rejection (37 CFR 1.129(a))			
149		710		249		355		For each additional invention to be examined (37 CFR 1.129(b))			
SUBTOTAL (1)				\$ 710							
2. EXTRA CLAIM FEES											
Total Claims		26		-20 =		6		x		9 or 18	
Indep. Claims		22		-3 =		19		x		40 or 80	
Multiple Dependent						130				\$	
** or number previously paid, if greater: for reissues, see below											
Large Entity		Small Entity									
Code		(\$)		Code		(\$)		Fee Description			
103		18		203		9		Claims in excess of 20			
102		80		202		40		Independent claims in excess of 3			
104		270		204		135		Multiple dependent claim, if not paid			
109		80		209		40		**Reissue independent claims over original patent			
110		18		210		9		**Reissue claims in excess of 20 and over original patent			
SUBTOTAL (2)				(\$) 1,628		Other fee (specify) _____					
*Reduced by Basic filing fee Paid						SUBTOTAL (3)					
SUBMITTED BY						Complete (if applicable)					
Typed or Printed Name		Robert J. Hess				Registration Number		32,139			
Signature						Date		January 11, 2001			